UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,089	06/07/2001	Kevin Gary Tapperson	AUS920010274US1	9389

7590 05/27/2004

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EXAMINER
KHATRI, ANIL

ART UNIT	PAPER NUMBER
2124	

DATE MAILED: 05/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 June 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-24_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-24_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _3_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by *Inokuchi et al*

USPN 6,144,969.

Regarding claims 1, 9 and 17

Inokuchi et al teaches;

- loading a first file written in a first format, wherein said first file comprises a first listing of one or more portions of object code segment, wherein each of said one or more portions of object code segments comprises one or more blocks of addresses, wherein each of said one or more blocks is associated with a particular offset value, wherein said first file further comprises a second listing of one or more symbol names and corresponding addresses (figures 5, 11 and 30, column 6, lines11-35, "virtual address space.. namely one file", column 9, lines 26-47, "the physical address:..physical address");

- reading said first file (column 2, lines 20-40, "provides a file name...");

- associating one or more symbol names with corresponding segment portion/offset value pairs (figures 5, 11 and 30, column 6, lines11-35, "virtual address space.. namely one file", column 9, lines 26-47, "the physical address...physical address"); and

- writing a second file in a second format, wherein said second file comprises a third listing including one or more segment portion/offset value pairs and associated symbol names (figure 10, 29, 30).

Regarding claims 2, 10 and 18

Inokuchi et al teaches;

- reading a particular line in said first file (see figures 29-36);

- parsing said particular line in said first file(see figures 29-36);; and

- determining whether there are more lines in said first file (see figures 29-36).

Regarding claims 3, 11 and 19

Inokuchi et al teaches;

- storing one or more symbol name/address pairs in a first table in a memory (figure 5),

- storing one or more segment portion/offset value pairs in a second table in said memory (see figures 5-8, 11-28)

- storing an image base address in an entry in said memory, wherein said image base address is a starting address of said second file (see figures 5-8, 31, 32, 43, column 19, lines 5-27, " all operations the largest value... the last packet", column 20, lines 30-59, " the file name written... controls of the CDRFS"); and

- storing a program entry point in an entry in said memory, wherein said program entry point is a starting address for an executable code (column 20, lines 14-22, " stores file information...managing file name", lines 30-59, " the file name written... controls of the CDRFS").

Regarding claims 4, 12 and 20

Inokuchi et al teaches;

Rejection of claims 1-3 has incorporated and further claims 4, 12 and 20 recites limitations as in claims 1-3, therefore, claims 4, 12 and 20 are rejected under same rational as claims 1-3.

Regarding claims 5, 13 and 21

Inokuchi et al teaches;

- determining whether said first absolute address of said first offset value equals

said first address associated with said first symbol name (see figures 5, 11, 30, 31, 33 and 39,

column (column 18, lines 29-46, "create a list of all... in the cache buffer").

Regarding claims 6, 14 and 22

Inokuchi et al teaches;

- determining whether there are more offset values associated with said first

selected segment portion that have not been added to said address of said first

selected segment portion (column 18, lines 55-65, " the cache manager create list again... node

table at step SP 24").

Regarding claims 7, 15 and 23

Inokuchi et al teaches;

Rejection of claims 1-4 has incorporated and further claims 7, 15 and 23 recites limitations as in

claims 1-4, therefore, claims 7, 15 and 23 are rejected under same rational as claims 1-4.

Regarding claims 8, 16 and 24

Inokuchi et al teaches;

Rejection of claims 1-4 has incorporated and further claims 8, 16 and 24 recites limitations as in

claims 1-4, therefore, claims 8, 16 and 24 are rejected under same rational as claims 1-4.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

- USPN 6034314

- USPN 6125304

- USPN 6230310

- USPN 6523170

- USPN 5584023

- USPN 5878422

- USPN 6675377

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anil Khatri, Primary Examiner whose telephone number is 703-

305-0282. The examiner can normally be reached on M-F 8:30-5:00 PM.

The fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANIL KHATRI
PRIMARY EXAMINER